

## BOARD BILL NO. 194 INTRODUCED BY ALDERMAN THOMAS A.VILLA

1 An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the "Board  
2 of Public Service"), establishing a public works and improvement project for the South  
3 Broadway Streetscape Project - Phase 2 involving various roadway infrastructure improvements  
4 and enhancements from Courtois Street to the existing bridge over the River Des Peres channel  
5 (the "South Broadway Streetscape Project – Phase 2"); authorizing and directing the City of St.  
6 Louis (the "City"), by and through its Board of Public Service, to let contracts and provide for  
7 the design, construction, materials, and equipment for the South Broadway Streetscape Project -  
8 Phase 2; authorizing the Board of Public Service to employ labor and consultants, pay salaries,  
9 fees and wages, acquire any and all said real and personal property rights and interests, in whole  
10 or in part, including easements (by lease, purchase, condemnation, or otherwise), as necessary  
11 for completion of the South Broadway Streetscape Project - Phase 2, and to enter into  
12 supplemental agreements with the Missouri Highway and Transportation Commission, Federal  
13 Highway Administration, utilities, railroads, and other governmental agencies as necessary for  
14 completion of the South Broadway Streetscape Project – Phase 2, all in accordance with the  
15 federal Transportation Equity Act for the 21<sup>st</sup> Century (23 U.S.C. § 110, *et seq.*), these  
16 agreements may include, but are not limited to, sections for: description of the work, material  
17 guarantees, estimated expenditure allocations, fund reversion authorization, applicable federal  
18 and state wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders,  
19 and contract advertising statutes; requiring that all work provided for herein shall be carried out  
20 in accordance with detailed plans and specifications adopted and approved by the Board of  
21 Public Service before bids are advertised therefor; directing that all construction contracts let by  
22 authority of this Ordinance provide for federal and state prevailing wage requirements, including  
23 prevailing wage holiday and overtime pay, and compliance with all applicable statutes of the  
24 State of Missouri (Sections 290.210 through 290.340 of the Revised Statutes of Missouri 2000,  
25 as amended), the City Charter, City ordinances including the "Complete Streets Policy, " (City  
26 Ordinance 68663), when applicable, and the Revised Code of the City, as amended; requiring all

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specifications approved by the Board of Public Service and contracts let by authority of this Ordinance shall provide for: compliance with the Mayor's Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when superseded or prohibited by federal or state law or regulation; requiring that all contractor's shall comply with the provisions of Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended, by requiring enrollment and participation in a federal work authorization program and agreeing not to knowingly employ unauthorized aliens; requiring that all contractor's shall comply with the provisions of Section 292.675 of the Revised Statutes of Missouri 2000, as amended, by providing a ten-hour Occupational Safety and Health Administration construction safety program for their on-site employees; requiring that all contractor's shall comply with the provisions of Section 34.057 of the Revised Statutes of Missouri 2000, as amended, (Prompt Payment/Retainage), as applicable; requiring the furnishing of a bond by every contractor on this public works project pursuant to the provisions of Section 107.170 of the Revised Statutes of Missouri 2000, as amended; requiring compliance with Section 34.353 of the Revised Statutes of Missouri 2000, as amended (Domestic Product Procurement Act – Buy American); requiring all advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250 of the Revised Statutes of Missouri 2000, as amended; appropriating the total estimated cost of the South Broadway Streetscape Project – Phase 2 of One Million, Nine Hundred Eighty Thousand Dollars (\$1,980,000.00) from various sources including the Federal Highway Administration Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), and the One-Half Cent Ward Capital Improvement Fund; authorizing and directing the Comptroller of the City to draw warrants from time to time and disburse funds appropriated by this Ordinance and to receive and disburse grant funds in accordance with the Transportation Equity Act of the 21<sup>st</sup> Century (23 U.S.C. § 110, *et seq.*) upon the signature and certification of vouchers by the President of the Board of Public Service; and containing a public work emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

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1 SECTION ONE. There is hereby authorized a public works and improvement project for the  
2 South Broadway Streetscape Project - Phase 2 involving various roadway infrastructure  
3 improvements and enhancements from Courtois Street to the existing bridge over the River Des  
4 Peres channel (the "South Broadway Streetscape Project – Phase 2").

5 SECTION TWO. The City of St. Louis (the "City"), by and through its Board of Public Service  
6 (the "Board of Public Service"), is hereby authorized and directed to let contracts and provide for  
7 the design, construction, materials, and equipment, for the South Broadway Streetscape Project –  
8 Phase 2, to employ labor and consultants, pay salaries, fees and wages, to acquire any and all  
9 said real and personal property rights or interests, in whole or in part, including easements (by  
10 lease, purchase, condemnation, or otherwise) for the completion of the South Broadway  
11 Streetscape Project – Phase 2, to enter into supplemental agreements with the Missouri Highway  
12 and Transportation Commission, Federal Highway Administration, utilities, railroads, and other  
13 governmental agencies, all in accordance with the federal Transportation Equity Act for the 21<sup>st</sup>  
14 Century (23 U.S.C. § 110, *et seq.*), these agreements may include, but are not limited to,  
15 sections for: description of the work, material guarantees, estimated expenditure allocations, fund  
16 reversion authorization, applicable federal and state wage rate requirements, equal opportunity  
17 provisions, the Mayor's Executive Orders, and contract advertising statutes.

18 SECTION THREE. The work provided for herein shall be carried out in accordance with  
19 detailed plans and specifications to be adopted and approved by the Board of Public Service  
20 before bids are advertised therefor.

21 SECTION FOUR. All construction contracts let under authority of this Ordinance shall provide  
22 that no less than the prevailing hourly rate of wages in the City shall be paid, as determined in  
23 accordance with the Federal Davis-Bacon Act and by the Department of Labor and Industrial  
24 Relations of the State of Missouri (Sections 290.210 through 290.340 of the Revised Statutes of  
25 Missouri 2000, as amended) for each craft or type of work needed in the actual labor on the jobs

1 herein authorized, as well as the general prevailing rate of pay for legal holidays and overtime  
2 work shall be paid to all workers on the South Broadway Streetscape Project – Phase 2. All  
3 contracts let in connection with the construction provided for herein shall be subject to, and in  
4 conformance with all applicable statutes of the State of Missouri, the City Charter, City  
5 ordinances, and Revised Code of the City, as amended, including any applicable City codes,  
6 rules and regulations. All contracts let in connection with the construction provided for herein  
7 shall require contractor's enrollment and participation in a federal work authorization program  
8 and an affirmation that contractor does not knowingly employ unauthorized alien employees  
9 pursuant to Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as  
10 amended, require contractor provide a ten-hour Occupational Safety and Health Administration  
11 construction safety program for their on-site employees as required by the provisions of Section  
12 292.675 of the Revised Statutes of Missouri 2000, as amended, as applicable, require the  
13 contractor(s) to comply with the provisions of Section 34.057 of the Revised Statutes of Missouri  
14 2000, as amended (Prompt Payment/Retainage), require the furnishing of a bond by every  
15 contractor on this public works project pursuant to the provisions of Section 107.170 of the  
16 Revised Statutes of Missouri 2000, as amended, and require contractor(s) to comply with Section  
17 34.353 of the Revised Statutes of Missouri 2000, as amended (Domestic Product Procurement  
18 Act – Buy American).

19 SECTION FIVE. All specifications approved by the Board of Public Service and contracts let  
20 under the authority of this Ordinance shall provide for compliance with the Mayor's Executive  
21 Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when  
22 otherwise superseded or prohibited by federal or state law or regulation.

23 SECTION SIX. All advertisement for bids pursuant to this Ordinance shall be subject to Section  
24 8.250 of the Revised Statutes of Missouri 2000, as amended.

25 SECTION SEVEN. The total estimated cost of the South Broadway Streetscape Project – Phase

2 is One Million, Nine Hundred Eighty Thousand Dollars (\$1,980,000.00) of which the federal share is One Million, Five Hundred Eighty-four Thousand Dollars (\$1,584,000.00) from the Federal Highway Administration Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) to be appropriated from the Federal Aid to Urban Program Match Share Fund, also known as the Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931, and the remaining local match share is Three Hundred Ninety-six Thousand Dollars (\$396,000.00) to be appropriated from the One-Half Cent Ward Capital Improvement Fund. Said improvements shall be contracted and executed in parts as funds are accrued in the Match Share Fund and are adequate to pay the City's share of the cost.

SECTION EIGHT. The Comptroller of the City is hereby authorized and directed to draw warrants from time to time and disburse funds appropriated by this Ordinance and is further authorized and directed to receive and disburse grant funds in accordance with the Transportation Equity Act of the 21<sup>st</sup> Century (23 U.S.C. § 110, *et seq.*), upon the signature and certification of vouchers by the President of the Board of Public Service. Reimbursement funds received shall be deposited into the Federal Aid to Urban Program Match Share Fund Ordinance 56931.

SECTION NINE. The Board of Public Service is hereby authorized to accept on behalf of the City monetary donations from other governmental agencies and others to assist in paying for the work authorized in this Ordinance. Funds received shall be deposited into the South Broadway Streetscape Project – Phase 2 Account.

SECTION TEN. This being an Ordinance providing for public work and improvement, it is hereby declared to be an emergency measure as defined in Article IV, Sections 19 and 20 of the City Charter and shall become effective immediately upon its passage and approval by the Mayor of the City.